

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| UNITED STATES OF AMERICA | : | |
| | : | CONSENT PRELIMINARY ORDER |
| - v. - | : | OF FORFEITURE/ |
| | : | <u>MONEY JUDGMENT</u> |
| JARETT MENDOZA, | : | |
| | : | 23 Cr. 316 (ER) |
| Defendant. | : | |
| ----- | x | |

WHEREAS, on or about June 28, 2023, JARETT MENDOZA (the “Defendant”), was charged in a five-count Sealed Information, 23 Cr. 316 (ER) (the “Information”), with conspiracy to commit securities fraud and tender offer fraud, in violation of Title 18, United States Code, Section 371 (Count One); securities fraud, in violation of Title 15, United States Code, Sections 78j(b) & 78ff, Title 17, Code of Federal Regulations, Section 240.10b-5, and Title 18, United States Code, Section 2 (Count Two); securities fraud, in violation of Title 18, United States Code, Sections 1348 and 2 (Count Three); tender offer fraud, in violation of Title 15, United States Code, Sections 78n(e) & 78ff, Title 17, Code of Federal Regulations, Sections 240.14e-3(a) & 240.14e-3(d), and Title 18, United States Code, Section 2 (Count Four); and obstruction of justice, in violation of Title 18, United States Code, Sections 1519 and 2 (Count Five);

WHEREAS, the Information included a forfeiture allegation as to Counts One through Five of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One through Five of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds

traceable to the commission of the offenses charged in Counts One through Five of the Information that the Defendant personally obtained;

WHEREAS, on or about June 28, 2023, the Defendant pled guilty to Counts One through Five of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Counts One through Five of the Information and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One through Five of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One through Five of the Information;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$38,648.58 in United States currency, representing the amount of proceeds traceable to the offenses charged in Counts One through Five of the Information that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One through Five of the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys Samuel P. Rothschild and Sarah Mortazavi, of counsel, and the Defendant and his counsel, Karen A. Pickett, Esq., that:

1. As a result of the offenses charged in Counts One through Five of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$38,648.58 in United States currency (the “Money Judgment”), representing the amount of proceeds traceable to the offenses charged in Counts One through Five of the Information that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant JARETT MENDOZA, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney’s Office, Southern District of New York, Attn: Illicit Finance and Money Laundering Unit, 26 Federal Plaza, 38th Floor, New York, New York 10278 and shall indicate the Defendant’s name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney’s Office is authorized to conduct any discovery needed to identify, locate

or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.


7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

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8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 

SAMUEL P. ROTHSCHILD
SARAH MORTAZAVI
Assistant United States Attorneys
26 Federal Plaza
New York, NY 10278
(212) 637-2504 / 2520


9/26/24
DATE

JARETT MENDOZA

By: 

JARETT MENDOZA

9/26/24
DATE

By: 

KAREN A. PICKETT, ESQ.
Attorney for Defendant
125 High Street, 26th Floor
Boston, MA 02110
(617) 423-0485

9-26-24
DATE

SO ORDERED:



HONORABLE EDGARDO RAMOS
UNITED STATES DISTRICT JUDGE

9/26/2024
DATE